

REMARKS

This amendment is responsive to the Office Action mailed on October 5, 2005 in connection with the above-identified patent application. In that Action, allowable subject matter was indicated. More particularly, claims 5 and 6 were merely objected to but were indicated as being allowable if rewritten into independent form to include all of the limitations of their respective base claim and any intervening claims. Also in the Action, the Abstract of the Disclosure was objected to for having more than one paragraph. Claim 4 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, 3, 4, 7-10, and 12-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,481,242 to Topf. Also in the Action, claims 1, 3, 4, 7-10, and 12-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,296,136 to Huet in view of Topf. Further in the Action, claims 2 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Topf in view of U.S. Patent No. 5,046,775 to Marcum, Jr. et al.

THE NON-ART REJECTIONS

As noted above, the Abstract of the Disclosure was objected to and claim 4 was rejected as being indefinite.

Applicant has tendered an amendment to the Abstract of the disclosure above so that it is now in compliance with M.P.E.P. § 608.01(b). More particularly, the Abstract of the Disclosure is not more than one paragraph in length.

Next, with regard to claim 4, the Examiner noted that the "outer collar 24" was positively recited for a second time. Applicant agrees. However, claim 4 has been canceled in the amendment above, and, accordingly, this rejection is now moot.

THE ART REJECTIONS

As noted above, claims 1, 3, 4, 7-10 and 12-17 were rejected as being anticipated by Topf. Also, claims 1, 3, 4, 7-10 and 12-17 were rejected as being unpatentable over Huet in view of Topf. Further, claims 2 and 11 were rejected as being unpatentable over Topf in view of Marcum, Jr. Lastly in the Action, claims 5 and 6 were indicated as containing allowable subject matter. To that end, those claims were merely objected to as being dependent upon a rejected base claim, but were indicated

as being allowable if rewritten into independent form to include all of the limitations of their respect base claim and any intervening claims.

Claims 5, 6, 2, and 18 are in Condition for Allowance

The Examiner indicated in the Office Action that claim 5 contained allowable subject matter and that the claim would be allowable if rewritten in independent form. Accordingly, applicant has tendered an amendment to claim 5 above to include the limitations of base claim 1 and intervening claims 3 and 4. Claim 5, therefore, has been rewritten into independent form and, accordingly, is allowable.

Claim 2 has been amended to depend from claim 5.

In connection with claim 6, the Examiner indicated that the claim would be allowable if rewritten in independent form. Accordingly, applicant has rendered an amendment to claim 6 above to include the limitations of base claim 1 and intervening claims 3 and 4. Accordingly, claim 6 is allowable and in condition for allowance.

Applicant has added new dependent claim 18 which depends from claim 6. Claim 18 includes limitations similar to those presented in original application claim 2.

For at least the above reasons, it is respectfully submitted that independent claims 5 and 6 and claims 2 and 19 dependent therefrom, respectively, are in condition for allowance.

Claims 7-17 are in Condition for Allowance

Applicant has tendered an amendment to independent claim 7 above to include the limitations of allowable claim 5 therein. Independent claim 7 as originally filed was similar to independent claim 1 in scope and recites a sealing cover for insertion into an opening formed in an associated support for closing and sealing the opening. The sealing cover comprises a main body portion, a continuous peripheral outer collar, a generally U-shaped circumferential collar, and a stop connection for selectively holding the main body portion with the outer collar in an assembled position to close and seal the opening. Applicant has tendered an amendment to independent claim 7 to include the allowable limitations of claim 5, namely that the main body portion is positioned higher than the outer collar and that in the assembled position whereat the

sealing cover is locked onto the associated support in the opening, the main body portion is positioned lower than the outer collar.

It is respectfully submitted that none of the prior art cited by the Examiner teaches, suggests or fairly discloses these limitations of allowable claim 5 now added to independent claim 7 in a novel sealing cover for insertion into an opening formed in an associated support.

For at least the above reasons, it is respectfully submitted that independent claim 7 as amended above and claims 8-17 dependent therefrom are patentably distinct and unobvious over the art of record.

New independent claim 19 combines the limitations of allowable claim 5 into base claim 1.

New independent claim 20 combines the limitations of allowable claim 6 into base claim 1.

New independent claim 21 combines the limitations of allowable claim 6 into base claim 7.

CONCLUSION

In view of the above amendments, comments, and arguments presented, it is respectfully submitted that all pending claims are patentably distinct and unobvious over the references of record.

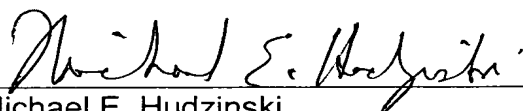
Allowance of all pending claims and early notice to that effect is respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

January 5, 2006

Date

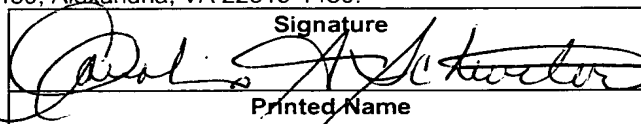

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CERTIFICATE OF MAILING

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

- ☒ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
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